

194219



August 4, 2008
Via Overnight Service

2600 Maitland Center Pkwy.
Suite 300
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL
32790-0200
Tel: 407-740-8575
Fax: 407-740-0613
www.tminc.com

Mr. Charles L.A. Terreni, Chief Clerk
South Carolina Public Service Commission
Synergy Business Park
Saluda Building
101 Executive Center Drive, Suite 100
Columbia, SC 29210

SC PUBLIC SERVICE
COMMISSION

AUG 13 2008 11:05 AM

RECEIVED

**RE: Petition for Authority to Transfer Assets
Access Integrated Networks, Inc. d/b/a Birch Communications and Navigator
Telecommunications, LLC**

Dear Mr. Terreni:

Attached please find the original and two (2) copies of the Petition for Authority to Transfer Assets submitted on behalf of Access Integrated Networks, Inc. d/b/a Birch Communications ("AIN") in connection with a partial customer base transfer from Navigator Telecommunications, LLC ("Navigator") to AIN. The Parties hereby notify the Commission of their entry into an agreement whereby AIN will acquire Navigator's residential and business local and long distance customers in South Carolina.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose. Any questions you may have regarding this filing may be directed to my attention at (407) 740-3006 or via e-mail at croesel@tminc.com.

Sincerely,

Carey Roesel
Consultant to Access Integrated Networks, Inc.
d/b/a Birch Communications

Enclosures
CR/rg

cc: Sharyl Fowler - AIN
cc: David Stotelmyer - Navigator
cc: Mr. C. Dukes Scott, Executive Director, SC PSC
file: AIN - SC - Local
tms: SCx0801

194219

BEFORE THE
STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

Application of)
Navigator Telecommunications, LLC and)
Access Integrated Networks, Inc. d/b/a)
Birch Communications)
for Authority to Transfer Assets)
to Access Integrated Networks, Inc. d/b/a)
Birch Communications)

Docket No. 2008-303-C

SO. PUBLIC SERVICE
COMMISSION

2008-03-05 AM 10:51

RECEIVED

APPLICATION FOR AUTHORITY TO TRANSFER ASSETS

Navigator Telecommunications, LLC ("Navigator" or "Seller") and Access Integrated Networks, Inc. d/b/a Birch Communications ("Birch" or "Purchaser") (together, "Applicants"), pursuant to SC Code §58-9-310, hereby respectfully request the South Carolina Public Service Commission ("Commission") to approve the transfer of certain customers from Navigator to Birch. Navigator and Birch entered into an Asset Purchase Agreement ("Agreement") on June 1, 2008, whereby the Purchaser will obtain certain assets of the Seller, specifically Seller's residential and business local and long distance customers. Following the transaction, Navigator will continue to provide services to its existing coin service accounts in the state of South Carolina.

Applicants respectfully request that the Commission issue an order approving this transaction and in support of this Application, provide the following information:

I. IDENTIFICATION OF APPLICANTS

The full legal name, address, telephone number and facsimile number of Applicants are:

Access Integrated Networks, Inc. d/b/a Birch Communications
4885 Riverside Drive, Ste 304
Macon, GA 31210
Telephone: 478-475-9800
Facsimile: 478-475-9988

- and -

Navigator Telecommunications, LLC
8525 Riverwood Park Drive
PO Box 13860
North Little Rock, AR 72113
Telephone: 501-954-4000
Facsimile: 501-954-4002

II. THE PARTIES

Navigator Telecommunications, LLC ("Navigator") is a local exchange and non-dominant interexchange telecommunications service provider organized under the laws of the State of Arkansas. Navigator was granted authority to provide local and interexchange telecommunications services in South Carolina by Order Numbers 1999-572 issued August 11, 1999 in Docket No. 1999-176-C and 1999-907 issued December 30, 1999 in Docket No. 1999-363-C. Navigator is certified, registered or otherwise authorized to provide local and long distance services nationwide. Navigator seeks to transfer approximately 23 presubscribed business customers and 22 presubscribed residential customers of its services in South Carolina to Birch.

Access Integrated Networks, Inc. d/b/a Birch Communications ("Birch"), a Georgia corporation, was granted local and interexchange authority pursuant to Order No. 1999-1801 issued November 15, 1999 in Docket No. 1999-323-C. Birch's managerial, technical and financial ability to provide telecommunications services are a matter of record with the South Carolina Public Service Commission. A copy of Birch's Certificate to Transact Business as a Foreign Corporation is incorporated herein by reference as Attachment 1. Birch is authorized to provide local and long distance services in ten states with certification pending in five additional states.

III. CONTACT INFORMATION

Correspondence or communications pertaining to this petition should be directed to:

Carey Roesel, Consultant
Technologies Management, Inc.
2600 Maitland Center Parkway, Ste 300
Maitland, FL 37251
Telephone: 407-740-3006
Facsimile: 407-740-0613
E-mail: croesel@tminc.com

With a copy to:

Sharyl Fowler, Senior Regulatory Analyst
Access Integrated Networks, Inc. d/b/a Birch Communications
4885 Riverside Drive, Ste 304
Macon, GA 31210
Sharyl.fowler@birch.com
- and -

Michael McAlister
Navigator Telecommunications, LLC
PO Box 13860
North Little Rock, AR 72113-0860
mike@navtel.com

IV. DESCRIPTION OF TRANSACTION

Under the terms of the Asset Purchase Agreement, in exchange for consideration, Birch will acquire from Navigator approximately 23 presubscribed business customers and 22 presubscribed residential customers, customer related data, databases, and customer records needed to support the provision of local and interexchange telecommunications services to Navigator subscribers. Navigator will continue to provide telecommunications services to all customers affected by this transaction pursuant to Navigator's existing tariff until the instant Application is granted by the Commission.

Upon the grant of the instant Application, Birch will assume all managerial, technical and financial responsibilities in connection with the operation of the retail services to be provided to the affected Navigator Customers in South Carolina. Upon approval, Birch will revise its tariffs to incorporate the rates, terms and conditions of services currently provided to Navigator customers. Grant of this application will afford an expeditious, transparent and cost effective transition, and will enable Birch and Navigator to remain fully compliant with their regulatory obligations. Navigator's customers affected by this transaction will continue to receive the same services from Birch under the current rates, terms and conditions as they currently enjoy. This transaction is being made in a seamless fashion that will cause no changes in customers' rates, terms and conditions of service and will be made at no charge to customers as they transition to Birch as their presubscribed carrier. There will be no interruption of service only a minor change of the non-regulated voice mail and Customers have been appropriately informed of their choices. The transfer of assets from Navigator to Birch will not result in any interruption or diminution in the quality of service provided to customers in South Carolina.

Written notice of the proposed asset transfer was provided to Navigator customers via First Class United States mail beginning on or after September 1, 2008 pursuant to Section 64.1120(e), Verification of Orders for Telecommunications Services, as amended, of Federal Communications Commission rules¹. A copy of the FCC filing which includes the Customer Notification has been attached hereto at Attachment 2.

¹ 47 C.F.R. §64.1120(e). *In the Matter of 2000 Biennial Review - Review of Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers; Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers*, CC Docket Nos 00-257, 94-129, *First Report and Order in CC Docket No. 00-257 and Fourth Report and Order in CC Docket No. 94-129*, FCC 01-156 (rel. May 15, 2001).

Applicants seek Commission authority for Birch to acquire and for Navigator to sell and transfer certain state Navigator assets to Birch, in accordance with the terms of Applicants' Asset Purchase Agreement. The transaction for which authority is sought is exclusively an acquisition of assets and does not involve a merger or consolidation, nor will the transaction require financing. Applicants state that the proposed asset acquisition is intended exclusively to enable Birch to provide telecommunications services to certain Navigator subscribers as described above.

Birch and Navigator will remain fully compliant with their regulatory obligations. All Universal Service Fund and other state regulatory fees billed by Navigator prior to the transfer will be collected and remitted by Navigator to the Commission or other appropriate state agency, whether collected before or after the transfer. Similarly, all Universal Service Fund and other state regulatory fees billed by Birch after the transfer will be collected and remitted by Birch to the Commission or appropriate state agency.

V. CUSTOMER IMPACT

This transaction is being made in a seamless fashion that will cause no changes in customers' terms, conditions and rates for service. There will be no interruption of service only a minor change to their non-regulated voice mail and customers have been appropriately informed of their choices.

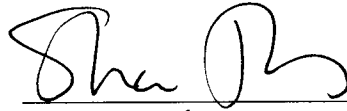
VI. PUBLIC INTEREST CONSIDERATIONS

The Applicants have determined that the proposed transaction will improve operational efficiency of both companies, thus providing greater opportunities to improve the price performance of services available to its customers. Consequently, granting this Application is consistent with the public interest in promoting competition among telecommunications carriers in South Carolina.

As time is of the essence, Applicants seek expeditious approval of this Application.

WHEREFORE, Applicants respectfully request the Commission to issue its Order Approving Navigator Telecommunications, LLC sale of certain telecommunications service assets, specifically a portion of Navigator's customer base to Birch Communications, Inc., as expeditiously as possible, and granting such other relief as is reasonable in the circumstances.

Respectfully submitted,



Carey Roesel

Consultant to Access Integrated Networks, Inc. d/b/a
Birch Communications and
Navigator Telecommunications, LLC
2600 Maitland Center Parkway, Suite 300
Maitland, FL 37251

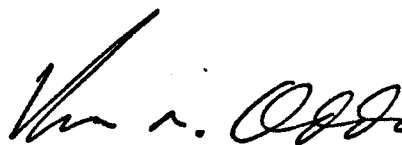
Telephone: (407) 740-3006
Facsimile: (407) 740-0613
E-mail: croesel@tminc.com

Dated: August 4, 2008

VERIFICATION

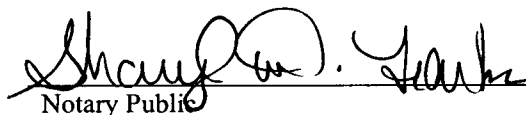
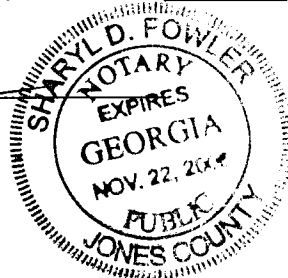
STATE OF GEORGIA
COUNTY OF BIBB

I, Vincent M. Oddo, being first duly sworn, do hereby certify, depose and state that I am President/Chief Executive Officer for Access Integrated Networks, Inc. d/b/a Birch Communications and that I am authorized to make this verification on behalf of Access Integrated Networks, Inc. d/b/a Birch Communications; that I have read the foregoing Application; and that the facts stated therein are true and correct to the best of my knowledge, information and belief.



Vincent M. Oddo
President/Chief Executive Officer
Access Integrated Networks, Inc. d/b/a Birch
Communications

Subscribed and sworn to before me, a Notary Public, this 29th day of July 2008

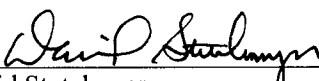

Notary Public

My Commission expires: 11/22/08

VERIFICATION

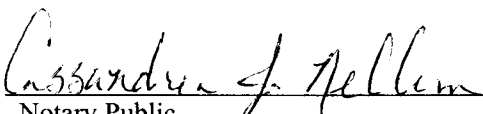
STATE OF ARKANSAS
COUNTY OF PULASKI

I, David Stotelmyer, being first duly sworn, do hereby certify, depose and state that I am Chief Financial Officer of Navigator Telecommunications, LLC, and that I am authorized to make this verification on behalf of Navigator Telecommunications, LLC; that I have read the foregoing Application; and that the facts stated therein are true and correct to the best of my knowledge, information and belief.



David Stotelmyer
Chief Financial Officer
Navigator Telecommunications, LLC

Subscribed and sworn to before me, a Notary Public, this 29th day of July 2008



Notary Public

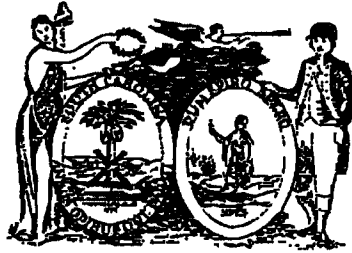
My Commission expires: November 1, 2010

**ACCESS INTEGRATED NETWORKS, INC.
d/b/a BIRCH COMMUNICATIONS
NAVIGATOR TELECOMMUNICATIONS, LLC**

Attachment 1

**STATE OF SOUTH CAROLINA
FOREIGN CORPORATION CERTIFICATE
ACCESS INTEGRATED NETWORKS, INC.
d/b/a BIRCH COMMUNICATIONS**

The State of South Carolina



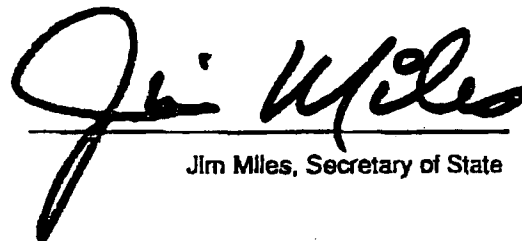
Office of Secretary of State Jim Miles Certificate of Authorization

I, Jim Miles, Secretary of State of South Carolina Hereby certify that:

ACCESS INTEGRATED NETWORKS, INC.,

a corporation duly organized under the laws of the state of **GEORGIA** and issued a certificate of authority to transact business in South Carolina on **July 16th, 1999**, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

Given under my Hand and the Great Seal of the State of South Carolina this 16th day of July, 1999.


Jim Miles, Secretary of State

NOTE: This certificate does not contain any representation concerning fees or taxes owed by the Corporation to the South Carolina Tax Commission or whether the Corporation has filed the annual report with the Tax Commission. It is important to know whether the Corporation has paid all taxes due to the State of South Carolina, and has filed the annual reports, a certificate of compliance must be obtained from the Tax Commission.



2600 Maitland Center Pkwy.
Suite 300

Maitland, FL 32751

P.O. Drawer 200

Winter Park, FL

32790-0200

Tel: 407-740-8575

Fax: 407-740-0613

www.tminc.com

April 9, 2008
Via Electronic Delivery

Mr. Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Synergy Business Park, Saluda Building
101 Executive Center Drive, Suite 100
Columbia, SC 29210

RECEIVED BY

APR 14 2008

TECHNOLOGIES
MANAGEMENT INC.

RECEIVED
2008 APR 10 AM 10:45
SC PUBLIC SERVICE
COMMISSION

RE: Proposed Name Changes -- Access Integrated Networks, Inc., and Birch Telecom of the South, Inc.

Dear Mr. Terreni:

The original and five (5) copies of this letter are submitted on behalf of Access Integrated Networks, Inc., and Birch Telecom of the South, Inc., in connection with proposed name changes. The companies request authorization to change the names under which they will provide telecommunications services within the state of South Carolina to Access Integrated Networks, Inc., d/b/a Birch Communications, and Birch Telecom of the South, Inc., d/b/a Birch Communications, respectively. This name change is driven by the recent acquisition of Birch Telecom of the South by Access Integrated Networks. The SC PSC was notified of this transaction in a December 28, 2007, letter.

This name change does not affect the rates, terms or conditions of service currently provided to the companies' South Carolina Customers.

The companies request expedited treatment of this request. It is important that the companies obtain authorization to use the requested d/b/a on or before May 15, 2008. The transaction driving the name changes has been publicly noticed via press release, and specific customer notices regarding the transaction and the name change have been issued, so a separate name change public notice appears unwarranted at this time.

The companies are unable to obtain Secretary of State documentation for the addition of these fictitious names since such names are only filed by the Secretary of State's office when a foreign corporation wishes to register in South Carolina and their real corporate name is not available in South Carolina (see attached letter).

Please acknowledge receipt of this request by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose. Any questions regarding this filing may be directed to my attention at (407) 740-3006 or croesel@tminc.com.

Sincerely,

Carey Roesel
Consultant to Access Integrated Networks, Inc., and Birch Telecom of the South, Inc.

Enclosure

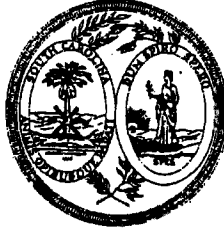
cc: Sharyl Fowler, AIN
Tara Jackson, Birch
Jack Pringle, Ellis Lawhorne & Sims, PA
File: AIN - SC Local
TMS: SCx0801

State of South Carolina
Office of the Secretary of State
The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525
COLUMBIA, SC 29201

Information
(803) 734-2170
www.scsos.com

Business Filings
(803) 734-2158



P.O. BOX 11350
COLUMBIA, SC 29211

Boards/Commissions
(803) 734-2119

Notaries
(803) 734-2512

This statement is in reference to the attached fictitious name application.

Fictitious names are filed with the Secretary of State's office only if a foreign (out of state) corporation wishes to register in South Carolina and their real corporate name is not available in this state.

**ACCESS INTEGRATED NETWORKS, INC.
d/b/a BIRCH COMMUNICATIONS
NAVIGATOR TELECOMMUNICATIONS, LLC**

Attachment 2

FCC FILING



July 25, 2008

Via Overnight Delivery

2600 Maitland Center Pkwy. Ms. Marlene H. Dortch, FCC Secretary
Suite 300 Federal Communications Commission
Maitland, FL 32751 9300 East Hampton Drive
Capitol Heights, Maryland 20743

P.O. Drawer 200

Winter Park, FL

32790-0200

Tel: 407-740-8575

Fax: 407-740-0613

www.tminc.com

Attention: Office of the Secretary

RE: CC Docket No. 00-257

**Notification of Transfer of Certain Local and Long Distance Service Customers
from Navigator Telecommunications, LLC to Access Integrated Networks, Inc.
d/b/a Birch Communications**

Dear Ms. Dortch:

Pursuant to CC Docket No. 00-257 and in accordance with Section 64.1120(e)(1) of the Commission's rules, the original and four copies of this notification is submitted on behalf of Access Integrated Networks, Inc., d/b/a Birch Communications ("Birch") who hereby notifies the Commission that it has entered into an agreement with Navigator Telecommunications, LLC ("Navigator"), whereby the Birch subsidiaries will generally acquire Navigator's residential and business local and long distance customers in the states of Alabama, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, New York, Pennsylvania, South Carolina, and Tennessee from Navigator. Following the transaction, these customers will be served by the Birch operating company in each state. The transfer of the customer base will take place on or after October 1, 2008.

Birch hereby certifies that it has complied with the advance subscriber notification requirements set forth in Section 64.1120(e)(3) of the Commission's rules, with the obligations specified in that notice and with Commission requirements that apply to this streamlined process. Customer notice will be mailed to approximately 8,500 affected subscribers on beginning September 1, 2008, each being sent thirty or more days in advance of the projected transfer date. A copy of the notice is enclosed as Attachment A.

Please date stamp the receipt copy and return it in the self addressed, stamped envelope provided. Questions regarding this filing may be directed to the undersigned at (407) 740-3006 or via e-mail at croesel@tminc.com.

Sincerely,

Carey Roedel

Enclosures

Cc: David Stotelmyer, Navigator
Sharyl D Fowler, Birch

ACCESS INTEGRATED NETWORKS, INC. d/b/a BIRCH COMMUNICATIONS
NAVIGATOR TELECOMMUNICATIONS, LLC

Attachment A

Customer Notice



NAVIGATOR

Telecommunications



DATE

Customers Name
Customers Address
City, State, Zipcode

Dear _____

This letter is to inform you that Access Integrated Networks, Inc. d/b/a Birch Communications (Birch) has entered into an agreement whereby Birch subsidiaries will generally acquire from Navigator Telecommunications, LLC (Navigator), subject to regulatory approval, certain Navigator phone service accounts in the state of _____ (Alabama, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, New York, Pennsylvania, South Carolina, Tennessee – LETTERS WILL BE STATE SPECIFIC) on or after _____ (state specific). As a result of this agreement, Birch will assume responsibility for all services previously provided to you by Navigator. Birch is excited about the opportunity to provide your phone service and looks forward to a long and successful business relationship.

Please rest assured, the transition will have little or no impact on your current services, nor will there be any interruption of your service. The agreement between Birch and Navigator has been structured so that the transfer of service will be an almost seamless transition with only a minor change to your voicemail service. You will retain your rates, features, terms and conditions of service and phone number. You will not incur any charges for the transfer of services to Birch, and little or no action is required from you regarding this changeover. You do have the right to select a different carrier for the telecommunication service(s) at issue. *If you do not wish to receive service from Birch, you should select another carrier and contact that carrier directly to transfer your service by _____.* If you choose to seek an alternative carrier for services, you may incur a fee for transfer of services. In addition, should you have a term commitment with Navigator and you disconnect services prior to the end of that term, you will be liable for early termination charges. Please note that if you are a customer of Navigator on the date of the transfer, your account will automatically be transferred to Birch.

You will receive your first billing statement from Birch starting with your _____ or _____ bill. Any balances owed for services provided prior to your first bill from Birch will remain payable to Navigator. All terms, conditions, and pricing of your service will stay the same and will not be affected by the transaction.

Please note that any local service preferred carrier "freeze" you have placed on your existing telephone lines to prevent unauthorized transfer to another local carrier will be over-ridden for purposes of this transaction and will need to be reinstated by you after the transfer is complete.

If you have any questions or complaints about this transaction prior to _____, you may contact Navigator Telecommunications, LLC at _____. After _____, you should contact Birch Communications at _____ (state specific customer service number) for any questions pertaining to service and billing.

About Access Integrated Networks, Inc. d/b/a Birch Communications

Headquartered in Atlanta GA, Birch Communications is one of the largest competitive local exchange carriers in the 31-state southeast, southwest and midwest regions serving small and medium business customers. Birch was the first in its class to deploy its own private IP network utilizing soft switch technology to deliver innovative, high quality, affordable voice and broadband communications services to small and medium business customers.

Birch looks forward to continuing to provide you with quality service for many years to come.

Sincerely,

Navigator Telecommunications, LLC and
Access Integrated Networks, Inc. d/b/a Birch
Communication

**ACCESS INTEGRATED NETWORKS, INC.
d/b/a BIRCH COMMUNICATIONS
NAVIGATOR TELECOMMUNICATIONS, LLC**

Attachment 3

**PREFILED TESTIMONY
OF
VINCENT ODDO**

**BEFORE THE
STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION**

Joint Application of
Navigator Telecommunications, LLC and
Access Integrated Networks, Inc. , d/b/a
Birch Communications
For Transfer of Customer Base

§
§
§
§
§

Docket No. _____

ACCESS INTEGRATED NETWORKS, INC.

DIRECT TESTIMONY OF VINCENT ODDO

Q. Please state your name, title and business address.

A. My name is Vincent Oddo. I am President and Chief Executive Officer of Access Integrated Networks, Inc., d/b/a Birch Communications. My business address is 4885 Riverside Drive, Ste 304, Macon, GA 31210.

Q. What authority is requested by the Joint Application?

A. The Applicants seek approval of the transfer of certain customers from Navigator Telecommunications, LLC ("Navigator") to Access Integrated Networks, Inc., d/b/a Birch Communications ("Birch"), specifically Navigator's residential and business local exchange and interexchange customers. The Applicants also request, to the extent required, that the Commission waive any applicable anti-slamming regulations. Because of the timing of the transaction and the proposed target date for the transfer of customers, we further request that the Commission grant the relief requested herein on an expedited basis.

Q. Please describe Joint Applicant Birch's operations in South Carolina.

A. Birch is a Georgia corporation authorized to provide local and long distance services in ten states, including South Carolina, with certification pending in five additional states. Birch has been serving South Carolina customers for over eight years. Birch is the service provider of choice for over 1,000 communities in the Southeast for voice and data services. Established in 1996, Birch is a profitable, privately held Competitive Local Exchange Carrier headquartered in Atlanta, GA serving small and medium business customers. Birch was the first in its class to deploy its own private IP network utilizing soft switch technology to deliver innovative, high quality, affordable voice and broadband communications services to small and medium business customers.

Q. Please describe the proposed asset transfer transaction.

A. Navigator and Birch entered into an Asset Purchase Agreement ("Agreement") on June 1, 2008, whereby Birch will obtain certain assets of Navigator, specifically Navigator's residential and business local exchange and long distance customers, including approximately 120 customers in South Carolina. Following the transaction, Navigator will continue to provide service only to its existing multi-location business accounts in South Carolina. Navigator will retain its authority to provide telecommunications services in South Carolina.

Q. Is the proposed asset transfer in the public interest?

A. Yes. This transaction is being made in a seamless fashion that will cause no changes in customers' terms, conditions and rates for service. There will be no interruption of service and customers have been appropriately informed of their choices. In addition, the Applicants have determined that the proposed transaction will improve operational efficiency of both companies, thus providing greater opportunities to improve the price performance of services available to its customers. Consequently, granting this Application is consistent with the public interest in promoting competition among telecommunications carriers in South Carolina.

Q. Have the customers to be transferred been notified of this transaction?

A. Yes. Written notice of the proposed asset transfer will be provided to Navigator customers via First Class United States mail beginning in early September 2008 pursuant to Section 64.1120(e), Verification of Orders for Telecommunications Services, as amended, of Federal Communications Commission rules. A copy of the Customer Notification is included with the Application in Attachment I. Applicants have included in the notification letter all relevant state and federal customer notification requirements pertaining to this transaction. To the extent necessary, it is also requested that the Commission grant a waiver of any applicable anti-slamming regulations.

Q. Why have the Joint Applicants requested expedited treatment of the application?

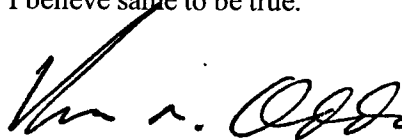
A. Expedited treatment is requested so that the Applicants may transfer the Navigator residential and business customers to Birch with a minimum of disruption and confusion. In order to manage the process efficiently, and to ensure that customer service is not impacted during this transition, it is important that the transfer of South Carolina customers take place as scheduled throughout Birch's ten-state service territory. Expedited approval will allow the planned transfer to take place as originally contemplated in accordance with the notifications that customers have received, thereby avoiding customer uncertainty and permitting the transfer to proceed in as orderly and seamless a fashion as possible.

Q. Does this conclude your testimony?

A. Yes.

VERIFICATION

I, Vincent M. Oddo, first being duly sworn upon oath, depose and say that I am President and Chief Executive Officer of Access Integrated Networks, Inc., d/b/a Birch Communications, that I have read the above and foregoing pre-filed testimony by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except to those matters stated upon information and belief, and as to those, I believe same to be true.



Vincent M. Oddo, President, Chief Executive Officer
Access Integrated Networks, Inc., d/b/a
Birch Communications

Date: 1/27/08

STATE OF GEORGIA)

COUNTY OF BIBB)

Subscribed and sworn before me this 29th day of April 2008.



 My Commission expires 11/22/08
(NOTARY PUBLIC)